

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

STEVEN E. WARMAN,

Plaintiff, : Case No. 3:10-cv-135

-vs- : District Judge Thomas M. Rose  
Magistrate Judge Michael R. Merz

FEDERAL BUREAU OF PRISONS,

Defendant.

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**REPORT AND RECOMMENDATIONS**

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Plaintiff, a prisoner of the Federal Bureau of Prisons, brought this action *pro se* on April 9, 2010, seeking emergency injunctive relief. Under the Prison Litigation Reform Act, this Court is required to assess an initial filing fee from prisoners and collect the full filing fee in installments. Because Plaintiff had not submitted the required information for assessing the initial filing fee, the Court sent him that information and required that he file it as a supplement to his application to proceed *in forma pauperis*. Plaintiff has not done so.

It is accordingly recommended that this case be dismissed without prejudice for want of prosecution.

April 26, 2010.

s/ **Michael R. Merz**  
United States Magistrate Judge

**NOTICE REGARDING OBJECTIONS**

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Pursuant to Fed. R. Civ. P. 6(e), this period is automatically

extended to seventeen days because this Report is being served by one of the methods of service listed in Fed. R. Civ. P. 5(b)(2)(B), (C), (D), or (E) and may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendations are based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See United States v. Walters*, 638 F. 2d 947 (6<sup>th</sup> Cir., 1981); *Thomas v. Arn*, 474 U.S. 140 (1985).